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OFFICE OF PETITIONS

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**PETITION UNDER 35 USC 119(e) and 37 CFR 1.78(a)(6) TO ACCEPT AN
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C.
119(e)**

Appl. No : 09/918,398 Confirmation No.: 1001
Applicant : MATSUURA et al.
Filed : July 31, 2001
Title :
TC./A.U. : 2874
Examiner : CONNELLY CUSHWA, Michelle R.

Docket No. : 11784-3
Customer No. : 001059

Mail Stop Petition
Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

February 10, 2004

Applicant has unintentionally failed to timely claim priority under 35 U.S.C. 119(e). The deadline to claim priority is the later of four months from the actual filing date of the U.S. application or sixteen months from the filing date of the prior U.S. provisional application.

**APPLICANT HEREBY PETITIONS TO ACCEPT A DELAYED CLAIM FOR
PRIORITY UNDER 35 U.S.C. 119(e).**

As required under 37 CFR 1.78(a)(6), this petition includes:

1. Reference required by 35 USC 119(e):

The provisional patent application from which priority is claimed is Provisional Patent Application Serial No. 60/222,481 filed on July 31, 2000, details of which are included in the appended Application Data Sheet, and accompanying amendment.

2. Surcharge set forth in 37 CFR 1.17(t):

A fee transmittal form with the amount of \$1,330.00 is attached. The Commissioner is authorized to charge any additional fees or underpayment of fees to Bereskin & Parr's deposit account.

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3. Statement that the delay was unintentional:

The entire delay in claiming priority under 35 U.S.C. 119(e) between the date the claim was due under paragraph (a)(5)(ii) of 37 CFR 1.78 and the date the claim was filed was unintentional.

Respectfully submitted,

MATSUURA et al.

By



Stephen M. Beney

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